

REMARKS

Claims 25-41 are all the claims pending in the application. By this Amendment and as shown on the attached Request for Approval of Proposed Drawing Corrections, the specification and drawings are amended to improve the clarity and precision of the application. Further, claims 29, 36, 37 and 41 are amended, and claim 38 is cancelled without prejudice or disclaimer to its future prosecution. Applicant respectfully requests withdrawal of the rejections and allowance of the claims.

I. Formalities and objections

Applicant thanks the Examiner for acknowledgement of foreign priority based on the foreign patent application filed on July 2, 1999. Further, Applicant thanks the Examiner for providing Applicant with Form PTO-1449, indicating consideration of the references submitted in the Information Disclosure Statement submitted on July 2, 2001.

The Examiner objects to the drawings due to (a) including a reference sign not included in the specification (i.e., 53a), and (b) not including a reference sign included in the specification (i.e., 53). As shown the attached Request for Approval of Proposed Drawing Corrections, Applicant has amended the drawings to overcome what is believed to be a minor typographical error, and place the drawings and specification in proper form. Thus, Applicant respectfully requests withdrawal of the objections.

II. Claims 37-41 are novel

Claims 37-41 stand rejected due to alleged anticipation under 35 U.S.C. § 102(b) over McCole (U.S. Patent No. 4,312,939). As shown in the foregoing amendments, claim 38 is

cancelled, thus rendering the rejection of claim 38 moot. Applicant respectfully submits that McCole fails to disclose all of the claimed combination of features, as required for an anticipation rejection under §102. Thus, Applicant respectfully requests withdrawal of the rejection, and allowance of the claims.

McCole discloses a photographic product and process of making the same. Applicant respectfully submits that Figure 1 of McCole is substantially similar to the related art description in the present application, and related art Figure 11 of the present application. However, Applicant respectfully submits that McCole does not disclose or suggest feeding a plurality of pitches at a time to a bonding station, and cutting the sheets after bonding.

Applicant respectfully submits that McCole fails to disclose (or even suggest) all of the claimed combination of features recited in claims 37 and 39-41. For example, but not by way of limitation, Applicant respectfully submits that McCole fails to disclose or suggest that the component supply station includes means for supplying the mask sheet and the two sheets as first through third continuous members, the arrangement being such that the first through third continuous members are cut together after being bonded to each other, and wherein said first through third members are fed a plurality of pitches at a time at least at said bonding station, as recited in independent claim 37. Applicant respectfully submits that McCole clearly does not disclose, or even suggest, feeding the first through third members a plurality of pitches at a time, as recited in independent claim 37.

Claims 39-41 depend from independent claim 37. Applicant respectfully submits that the dependent claims are allowable for at least the same reasons as the independent claim from

which they depend. Additionally, Applicant respectfully submits that McCole fails to disclose (or even suggest) a beveling station for beveling corners of said instant photography film unit, as recited in dependent claim 39, according to “beveling” as understood by one of ordinary skill in the art. Thus, Applicant respectfully requests withdrawal of the §102 rejection, and allowance of the claims.

III. Claims 25-36 would not have been obvious

Claims 25-29 stand rejected due to alleged obviousness under 35 U.S.C. § 103(a) over the Examiner’s proposed combination of McCole in view of Arima (U.S. Patent No. 4,944,503), and claims 30-36 stand rejected under §103(a) over the Examiner’s proposed combination of McCole in view of Karaki et al. (U.S. Patent No. 6,317,591, hereafter “Karaki”). Applicant respectfully submits that the Examiner’s proposed combination of references fail to disclose or suggest all of the claimed combination of features, as required for a prima facie obviousness rejection. Thus, Applicant respectfully requests withdrawal of the rejection, and allowance of the claims.

A. Claims 25-29 would not have been obvious

Arima discloses a division sheet feeding apparatus. As illustrated in Figure 1 of Arima, a web cutting means 2 cuts a product into sheets, which are conveyed by a product sheet conveyance means 3, and then stacked on top of one another at a stacking station. As illustrated in Figure 3 of Arima, division sheets 10 are positioned between the stacks 9 of sheets. However, Applicant respectfully submits that Arima does not disclose a packaging station, where stacked film units are automatically housed into a film pack.

Applicant respectfully submits that the Examiner's proposed combination of references fails to disclose or suggest all of the claimed combination of features. For example, but not by way of limitation, Applicant respectfully submits that the Examiner's proposed combination of McCole and Arima fails to disclose or suggest a packaging station for automatically housing the stacked instant photography film units into a film pack, as recited in independent claim 25. As admitted by the Examiner, McCole fails to disclose or suggest this feature. Further, Applicant respectfully submits that the combination of Arima into McCole fails to cure at least this admitted deficiency of McCole.

For example, but not by way of limitation, Applicant respectfully submits that Arima does not disclose any packaging station, or automatically housing the stacked film units into a film pack, as recited in independent claim 25. Applicant respectfully submits that the division sheets 10 are merely dividers between stacks of sheets, and cannot be properly construed as placing film units into a film pack, as recited in independent claim 25, because they do not disclose, teach or suggest the recited structure of the film pack.

Claims 26-29 depend from independent claim 25. Applicant respectfully submits that dependent claims 26-29 are allowable for at least the same reasons as discussed above with respect to independent claim 25. Additionally, Applicant respectfully submits that the Examiner's proposed combination of references fails to disclose or suggest that the component supply station includes means for supplying the mask sheet and the two sheets as first through third continuous members, the arrangement being such that the first through third continuous members are cut together after being bonded to each other, as recited in dependent claim 26, or a

beveling station for beveling corners of said instant photography film unit, as recited in dependent claim 39. Thus, Applicant respectfully requests withdrawal of the rejections, and allowance of the claims.

B. Claims 30-36 would not have been obvious

With respect to the rejection of claims 30-36 under 35 U.S.C. § 103(a) over McCole in view of Karaki, Applicant respectfully requests disqualification of Karaki as a rejecting reference under 35 U.S.C. § 103(c), based on the common ownership of Karaki and the present application.

Applicant respectfully submits that 35 U.S.C. § 103(c) precludes the application of subject matter that qualifies as prior art under only 35 U.S.C. § 102(e)-(g), for applications filed on or after November 29, 1999, where the claimed invention as the cited prior art are subject to an obligation of assignment to the same person at the time the invention was made. For additional explanation, Applicant directs the Examiner to MPEP §706.02(l) and 1241 O.G. 96 (December 26, 2000).

Applicant respectfully submits that Karaki is only available as prior art under 35 U.S.C. § 102(e) in a §103(a) rejection, and that the present invention has a filing date of July 2, 2001 (based on a parent application filed on June 30, 2000), which is after November 29, 1999. Thus, the present application qualifies for the application of 35 U.S.C. § 103(c).

Additionally, because both Karaki and the present invention are subject to an Assignment to Fuji Photo Film Co., Ltd, Applicant respectfully submits that Karaki can be disqualified under 35 U.S.C. § 103(c), due to common ownership.

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Thus, Applicant respectfully requests disqualification of Karaki under 35 U.S.C. § 103(c). As admitted by the Examiner, McCole alone fails to disclose or suggest all of the claimed combination of features recited in each of claims 30-36, and Karaki cannot be combined with McCole. Therefore, Applicant respectfully submits that claims 30-36 are allowable over the art of record. Accordingly, Applicant respectfully requests allowance of claims 30-36.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is changed as follows:

Page 1, first sentence of the application:

This is a divisional of Application No. 09/609,245 (Confirmation No. [Not Yet Known]2087, now U.S. Patent No. 6,287,744) filed June 30, 2000, the disclosure of which is incorporated herein by reference.

Page 14, first full paragraph:

A photosensitive member supply unit 118 for [unwound] unwinding the second continuous member 58 from its roll is disposed upstream of the light chamber 92. The second continuous member 58 supplied from the photosensitive member supply unit 118 passes above the mask sheet material supply 96 to the first joining station 62. An undersheet supply unit 120 for supplying the continuous sheet 60 is disposed above the first joining station 62. A rail supply unit 122 for supplying the rails 65 to the second heat-bonding station 66 is disposed downstream of the undersheet supply unit 120. A cover sheet supply unit 124 for supplying the third continuous member 68 to the second joining station 70 is disposed downstream of the rail supply unit 122.

IN THE CLAIMS:

Claims 38 is canceled.

The claims are amended as follows:

29. (Amended) An apparatus according to claim 25, further comprising:
an air [hold] hole forming station for forming a deformed area at said trap and serving as
an air passage.

36. (Amended) An apparatus according to claim 30, further comprising:
an air [hold] hole forming a deformed area at said trap and serving as an air passage.

37. (Amended) An apparatus for manufacturing an instant photography film unit which
comprises a mask sheet having an image frame and two sheets, one of which has a
photosensitive layer, superposed and bonded to each other, and a pod storing a developing
solution and disposed on the sheets in a predetermined position, the arrangement being such that
the developing solution supplied from the pod extends between said two sheets to form an image,
said apparatus comprising:

a component supply station for supplying said mask sheet and said two sheets;

a bonding station for bonding said mask sheet and said two sheets in a laminated state,
with at least one of said mask sheet and said two sheets comprising a continuous member;

a cutting station for cutting said continuous member to a predetermined length for
thereby producing a self-developing instant photography film unit; and

a component supply station for simultaneously supplying at least one of a plurality of
pods storing a developing solution and a trap for trapping an excessive developing solution to a
marginal side edge of said image frame, wherein said component supply station comprises means
for supplying said mask sheet and said two sheets as first through third continuous members, the
arrangement being such that said first through third continuous members are cut together after

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being bonded to each other, and wherein said first through third members are fed a plurality of pitches at a time at least at said bonding station.

41. (Amended) An apparatus according to claim 37, further comprising:

an air [hold] hole forming station for forming a deformed area at said trap and serving as an air passage.